

# THE REVISION OF THE LAWS ACT, 1979

## No. 9 of 1979

*Date of Assent: 10th May, 1979*

*Date of Commencement: 18th May, 1979*

### ARRANGEMENT OF SECTIONS

#### *Section*

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**An Act of Parliament to make provision for the contents of, and for revisions of, the Laws of Kenya and for matters connected therewith**

Enacted by the Parliament of Kenya as follows :—

Short title.

1. This Act may be cited as the Revision of the Laws Act, 1979.

Interpretation.

2. In this Act—

“annual supplement” means a supplement prepared under section 7;

“foreign legislation” includes Acts of Parliament of the United Kingdom, Orders in Council, Royal Instructions, and subsidiary legislation made thereunder, and Acts of the Indian Legislature and subsidiary legislation made thereunder;

—“Laws of Kenya” means the revised edition of the Laws of Kenya prepared and published under the Laws of Kenya (Revision) Act (now repealed).

Cap. 1.

3. Subject to this Act, the Laws of Kenya as amended and kept up to date at the commencement of this Act shall continue in existence.

Laws of Kenya to continue in existence.

4. The Laws of Kenya shall contain—

Contents of Laws of Kenya.

(a) the Constitution;

(b) all Acts in force, wholly or in part, unless omitted under section 5;

(c) such subsidiary legislation in force as the Attorney-General thinks fit to include therein;

(d) such foreign legislation which has been applied to Kenya as the Attorney-General thinks fit to include therein;

(e) a table of contents;

(f) a chronological table listing all Ordinances, Acts and other enactments ever enacted in Kenya and showing how such have been dealt with;

(g) an accumulative alphabetical index of all Acts, listing under each Act reference to—

(i) all subsidiary legislation made under it since the date of last revision of the Act or, in the case of an Act which has not been revised, the date of publication of the Act; and

(ii) all amendments to the Act and to any subsidiary legislation made thereunder since the date of the last revision of the Act, or since the date of publication of the Act or of the subsidiary legislation, as the case may be;

(h) a table of Acts omitted under the authority of paragraphs (b), (c), (d) or (e) of section 5, which table may be published either separately or annexed to the table of contents.

Acts omitted  
from Laws of  
Kenya.

5. There may be omitted from the Laws of Kenya—
- (a) annual appropriation Acts;
  - (b) specific loan or specific loan guarantee Acts;
  - (c) any Act which is in the opinion of the Attorney-General—
    - (i) of temporary effect; or
    - (ii) of local or limited application; or
    - (iii) of application only to a time past;
  - (d) any Constitution of Kenya (Amendment) Act or provision in such Act which does not become incorporated in the Constitution;
  - (e) any Act which in the opinion of the Attorney-General ought to be temporarily omitted by reason of—
    - (i) proposed substantial amendments to the Act or subsidiary legislation made thereunder; or
    - (ii) the proposed making of a substantial quantity of new subsidiary legislation thereunder.

Method of  
compiling  
Laws of Kenya.

6. (1) The Laws of Kenya shall be printed in the form of booklets, a separate booklet being printed for—
- (a) the Constitution and any subsidiary legislation made thereunder;
  - (b) each Act and the subsidiary legislation made thereunder;
  - (c) each piece of foreign legislation applied to Kenya, included in the Laws by virtue of section 4.

(2) Every booklet shall contain on the front page thereof the expressions “Laws of Kenya” and “Revised Edition . . . Printed and Published by the Government Printer Nairobi”, and on every other page thereof the expression “Rev. . . .” with the appropriate year of revision inserted in each case.

Annual  
supplement.

7. The Attorney-General shall as soon as practicable after the beginning of every year prepare and publish an annual supplement to the Laws of Kenya which shall contain—
- (a) a revised edition of every Act which has been enacted or has come into force during the previous year

together with such subsidiary legislation made thereunder as the Attorney-General thinks fit to include, unless any such Act is omitted under section 5 or its sole effect is to amend, without replacing, other written laws;

(b) a new revised edition of the Constitution, any Act, any foreign legislation applied to Kenya or any subsidiary legislation where, by reason of—

(i) its having been substantially amended; or

(ii) in the case of the Constitution or an Act, a substantial quantity of subsidiary legislation having been made thereunder,

during the preceding year or years, a new revised edition is in the opinion of the Attorney-General desirable;

(c) a revised edition of any Act omitted under section 5 where the reason for the omission in the opinion of the Attorney-General no longer subsists;

(d) a new revised edition of the accumulative index, table of contents and table of omitted Acts;

(e) a new revised edition of the chronological table or a supplement thereto:

Provided that more than one supplement may be prepared under this section in respect of any one year, or a supplement may be prepared in respect of more than one year, where the Attorney-General considers it expedient; and where a second or subsequent supplement is prepared in respect of any one year, it may contain all or any of the revised editions specified in this section.

8. (1) In the preparation of the annual supplement to the Laws of Kenya the Attorney-General shall have the following powers—

Powers on  
revision.

(a) to omit—

(i) all laws or parts of laws which have been repealed expressly or by necessary implication, or which have expired, or which have become spent or have had their effect;

(ii) all repealing enactments contained in laws, and all tables or lists of repealed enactments, whether contained in schedules or otherwise;

- (iii) all preambles or parts of preambles to laws, and all or any recitals in laws, where such omission can, in the opinion of the Attorney-General, conveniently be made;
  - (iv) all introductory words of enactment in any law;
  - (v) all enactments prescribing the date when any law or part of any law is to come into force, where such omission can, in the opinion of the Attorney-General, conveniently be made;
  - (vi) all amending laws or parts of laws where the amendments effected by such laws or parts of laws have been embodied by the Attorney-General in the laws to which they relate;
- (b) to allocate Chapter numbers to newly included Acts and subsidiary legislation and generally to arrange the Acts by Chapters in such sequence and groups and generally in such order and manner as the Attorney-General thinks proper, and to leave unallocated between groups or in groups such Chapter numbers as he considers may be required for Acts to be enacted in the future;
- (c) to consolidate into one law two or more laws *in pari materia*, making the alterations thereby rendered necessary in the consolidated law, and affixing such date thereto as seems most convenient;
- (d) to alter the order or sections in any law, and, in all cases where it is necessary to do so, to renumber the sections of any law;
- (e) to alter the form or arrangement of any section of any law, either by combining it in whole or in part with another section or other sections or by dividing it into two or more subsections;
- (f) to divide any law, whether consolidated or not, into Parts or other divisions;
- (g) to transfer any provisions contained in an enactment from that enactment to any other enactment to which the Attorney-General considers that it more properly belongs;